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EXAMINER

LUDWIG, MATTHEW J

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,157

Applicant(s)

HIROSHIGE, YUKO

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment received May 9, 2005.
2. Claims 1-17 are pending in the application. Claims 1 and 14 are independent claims.
Claims.
3. Claims 1-8, and 10-17 remain rejected under 35 U.S.C. 102 as being unpatentable over Liaw. Claims 1-17 remain rejected under 35 U.S.C. 101 and have been modified as necessitated by applicant's amendment. Claim 9 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Liaw in view of Barg et al.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. **Claims 1-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-17 are drawn to non-functional descriptive material. MPEP 2106.IV.B.1(a) (Nonfunctional Descriptive Material) states:**

“Descriptive material that cannot exhibit any functional interrelationship with the way in which computing processes are performed does not constitute a statutory process, machine, manufacture or composition of matter and should be rejected under 35 U.S.C. 101.”

“Where certain types of descriptive material, such as music, art, photographs and mere arrangements or compilations of facts or data, are merely stored so as to be read or outputted by a computer without creating any functional interrelationship, either as part of the stored data or as part of the computing process performed by the computer, then such descriptive material alone does not impart functionality either to the data as so structured, or to the computer.”

“For example, music is commonly sold to consumers in the form of a compact disc. In such cases, the know compact disc acts as nothing more than a carrier for nonfunctional descriptive material. The purely nonfunctional descriptive material cannot alone provide the practical application for the manufacture.”

MPEP 2106.IV.B.1 (Nonstatutory Subject Matter) states:

“When nonfunctional descriptive material is recorded on some computer-readable medium, it is not statutory since no requisite functionality is present to satisfy the practical application requirement”.

Claim 1 and 14 currently recite a table data management means and merely reflect a numerical logical operation and position conversion of n-dimensional discrete data within a computer. Furthermore, no data is presented to the user and the claim language requires no user interaction, i.e. a display, printout, ext. The numerical logical operation and position conversion of n-dimensional discrete data fails to provide concrete steps in producing a practical application of a running program. Consequently, the claimed invention does not require the technical or useful arts and, thus, fails to define patentable subject matter.

There is no functional relationship imparted by this data to a computing device. Therefore, the claim is drawn to non-functional descriptive material which is non-statutory per se. The fact that the claim recites a computer readable medium does not provide the utility (i.e., practical application in the technological arts) required under 35 U.S.C. 101 for the manufacture.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1-8, and 10-17 are rejected under 35 U.S.C. 102 as being anticipated by Liaw et al. (hereinafter Liaw, U.S. Patent No. 5,572,644).**

In regard to independent Claim 1 (and similarly independent Claim 14), Liaw teaches selecting a group of 3-D cell blocks, i.e., cell ranges spanning more than one page. To extend the block (254) (of Fig. 2C) into a 3-D block, the user specifies an additional or 3rd dimension by selecting an appropriate page identifier (Col. 10, lines 19-23). In addition, Liaw teaches that pages may be selected or grouped together, thereby providing a means for changing multiple pages simultaneously. In much the same manner as cells from a spread are grouped into 2-D blocks, a range of pages are grouped by specifying beginning and end members (Col. 10, lines 29-33). In addition, with group mode active, an activity in a page which is a member of a group can also affect similarly situated cells of the other pages of the group (Col. 10, lines 52-54; compare to Claim 1 (and similarly Claim 14), “... ***table data management means for defining a data block as a processable data group, the data block being composed of a plurality of (n-1)-dimensional tables (n is a natural number equal to or larger than 3), and for defining item data of the processable data group as n-dimensional data for data management***”).

In regard to dependent Claim 2 (and similarly dependent Claim 15), Liaw teaches that with group mode active, an activity in a page which is a member of a group can also affect similarly situated cells of the other pages of the group (Col. 10, lines 52-54; compare to Claim 2 (and similarly Claim 15), “... ***calculation processing means for executing a table calculation function based on the item data in each dimension of the data block***”). Though Liaw does not explicitly teach a calculation means, it would have been obvious to one of ordinary skill in the art at the time of invention to assume, given the teaching of Liaw above, that page calculations would have taken place and would have acted as claimed providing the benefit of updating or creating cells in the data block.

In regard to dependent Claim 3 (and similarly dependent Claim 16), Liaw teaches that whether 2-D or 3-D in nature, blocks of cells may be easily copied and cut (i.e., moved) using drag-and-drop editing techniques of the present invention. As shown in Fig. 4G for a 2-D block, for example, a method for copying a block of cells includes (1) selecting a source block by dragging a range of cells (e.g., mouse button-down events coupled with mouse movement across the range; close selection with a button-up event), (2) dragging the block (e.g., click within block, followed by repeated mouse button-down events), and (3) dropping the block (e.g., mouse button-up event at desired target location). In a similar fashion, 3-D blocks may be dragged and dropped (Col. 11, lines 28-39; compare with Claim 2 (and similarly Claim 15), “... *said table data management means execute a table editing function based on the item data of the data block in each dimension*”).

In regard to dependent Claim 4 (and similarly dependent Claim 17), Liaw teaches that a simple nomenclature is available for specifying these solid blocks of information. In a preferred embodiment, a solid block is specified by: <<First Page>>..<<Last Page>>.<<First Cell>>..<<Last Cell>>. For example, a solid block may be defined as A..D:A1..C4, in which case the block spans from cells A1 to C4, and spans across Pages A-D. By permitting alias names (i.e., user-supplied alternative labels), the present invention allows the block to be specified as 1989 Sales..1992 Sales: A1..C4; or even 1989 Sales..1992 Sales: First Quarter..Third Quarter. Additionally, the present invention readily accommodates notebook information as well, for example, [TAX]1989 Sales..1992 Sales: First Quarter..Third Quarter, thus permitting information to be linked across various notebooks. Wildcard characters (e.g., * and ?) may also be employed for cell, page, and notebook identifiers, as desired. Thus, the spreadsheet notebook

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of the present invention provides a 3-D interface which readily accommodates real-world information in a format the user understands (instead of forcing the user to adapt his or her information to fit an arbitrary spreadsheet model) (Col. 11, lines 1-24; compare with Claim 4 (and similarly Claim 17), “... *said table data management means enclose a portion of a sequence of tables with punctuation tables to define the data block*”).

In regard to dependent Claims 5 and 6, Claims 5 and 6 reflect the multi-dimensional table data management unit as claimed in Claim 4 and are rejected along the same rationale.

In regard to dependent Claim 7, Liaw teaches in Figs. 2C-E, individual notebook pages are identified by page identifiers (260), preferably located along one edge of the notebook (250). In a preferred embodiment, each page identifier is in the form of a tab member (e.g., members 261a, 262a, 263a) situated along a bottom edge of the notebook. Each tab member may include representative indicia, such as textual or graphic labels, including user-selected titles representing the contents of a corresponding page (Col. 8, lines 57-65; compare with Claim 7, “... *a title is attached to each of the tables of the data block*”).

In regard to dependent Claim 8, Liaw teaches action buttons (229) provide automated spreadsheet operations, including sorting and summing operations. For example, a Sort button, when invoked, performs a sort on data in a currently active block (Col. 8, lines 21-25; compare with Claim 8, “... *in response to a plurality of sorted item data for which sorting is specified in the data block and a sort direction thereof, said table data management means sort the entire data block by exchanging storage positions where item data for which the sorting is not specified is stored*”).

In regard to dependent Claim 10, Liaw teaches that a non-contiguous selection of pages may also be selected (even across different pages); for example, a selection of Pages A and D, but not B and C, may be achieved by selecting tabs A and D while depressing a second key (e.g., CTRL- key). Furthermore, groups may overlap (i.e., a page can be in more than one group), as desired. By selectively activating a group mode (e.g., by toggling group button 273), groupings may be temporarily turned off, in which case events are not percolated to other members of the group (Col. 10, lines 41-51; compare with Claim 10, "... *said table data management means combine a plurality of data blocks to generate a new data block*").

In regard to dependent Claims 11-13, Claims 11-13 reflect the multi-dimensional table data management unit as claimed in Claim 10, and are rejected along the same rationale.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liaw in view of Barg et al. (hereinafter Barg, U.S. Patent No. 6,707,454).**

In regard to dependent Claim 9, Liaw does not specifically teach *rotate the data block according to a specified rotation axis, a rotation direction, and an angle to exchange storage positions of the item data*. However, Barg teaches that a "horizontal rotation" button places the

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three-dimensional multiscape view into the horizontal orientation and then rotates the three-dimensional multiscape view about an axis that is parallel to the vertical axis but which passes through the center of the horizontal plane of the three-dimensional multiscape view. The "arbitrary rotation" button allows the user to arbitrarily rotate the three-dimensional multiscape view about an arbitrary axis, by linking the direction and amount of movement of the mouse to the rotational axis and the amount of rotation of the three-dimensional multiscape view (Col. 8, lines 36-46). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Liaw and Barg providing the benefit of identifying important structures in data cubes.

Response to Arguments

10. Applicant's arguments filed 5/9/05 have been fully considered but they are not persuasive.

The examiner's rejections of claims 1-17 under 35 U.S.C. 101 has been modified as necessitated by applicant's amendments.

Applicant argues on pages 8 and 9 of the amendment that the tables taught by Liaw are two-dimensional tables while three-dimensional blocks are merely defined by selecting an appropriate page identifier. Furthermore, the applicant states the tables are two-dimensional and data is manipulated in block fashion based on the two-dimensional block plus an appropriate page identifier. The claim language, as presently claimed, fails to preclude the Examiner from utilizing Liaw to teach the manipulation of item data of the processable data group as n-dimensional data for data management. More specifically, the broad nature of the word

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'manipulating' could be interpreted in many different ways. The 'manipulation' could come before or after the original processable data group. To extend the block (254) (of Fig. 2C) into a 3-D block, the user specifies an additional or 3rd dimension by selecting an appropriate page identifier (Col. 10, lines 19-23). Finally, Liaw teaches that pages may be selected or grouped together, thereby providing a means for changing multiple pages simultaneously. In much the same manner as cells from a spread are grouped into 2-D blocks, a range of pages are grouped by specifying beginning and end members (Col. 10, lines 29-33). In addition, with group mode active, an activity in a page which is a member of a group can also affect similarly situated cells of the other pages of the group (Col. 10, lines 52-54).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
July 15, 2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
7/22/2005